

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DILENIA PAGUADA, *on behalf of herself and
all others similarly situated,*

Plaintiff,

v.

AMERICAN RETAIL SUPPLY CORP.,

Defendant.

21-CV-733 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

Plaintiff Dilenia Paguada initiated this action on January 27, 2021. (Compl., ECF No. 1.) On April 15, after the defendant was served with the summons and complaint, plaintiff wrote to the Court requesting an adjournment of the initial pretrial conference because defendant failed to appear in the action. (ECF No. 9.) Plaintiff's attorney informed the Court that he was in the process of moving the Court for a default judgment. (*Id.*) The Court granted that request and specified that plaintiff should file her motion for default judgment, on notice to defendant, on or before May 21, 2021. (ECF No. 10.)

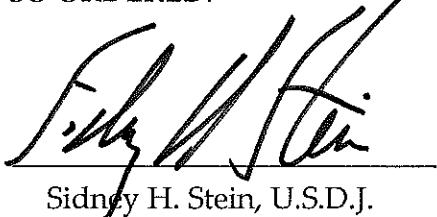
On July 14—well past the May 21 deadline—plaintiff wrote to the Court requesting an additional 15 days in which to “attempt to contact [the] [d]efendant or in the alternative, move for a Default Judgment.” (ECF No. 13.) The Court again granted plaintiff's request for an extension to serve and file a motion for a default judgment until July 30, 2021. (ECF No. 15.)

July 30 has come and gone. Accordingly, due to plaintiff's repeated failure to meet the deadlines set by this Court, this action is DISMISSED without prejudice pursuant to Federal Rule of Civil Procedure 41(b). *See Link v. Wabash R. Co.*, 370 U.S. 626, 630 (1962).

Dated: New York, New York

August 27, 2021

SO ORDERED:



A handwritten signature in black ink, appearing to read "Sidney H. Stein".

Sidney H. Stein, U.S.D.J.